

## REMARKS

In response to the final Office Action mailed on March 16, 2009, Applicants respectfully request reconsideration. Claims 36-56 are now pending in this Application. Claims 36, 46 and 56 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 57-62 are canceled. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

1. Interview Held on May 12, 2009

Applicants would like to thank the Examiner for the Interview held on May 12, 2009. While no agreement was reached, the Examiner stated that the arguments submitted herein possibly place the claims in condition for allowance – pending agreement from the Supervisory Examiner.

2. Rejection of Submitted Claims under 35 U.S.C. §103(a)

Claims 36-58 and 62 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Oliviera, U.S. Patent Pub. No. 2004/0186904, in view of Sayan et al., U.S. Patent Pub. No. 2002/0169820 (hereinafter Sayan), in view of Brenner et al., U.S. Patent No. 6,658,449 (hereinafter Brenner), in view of Liu, U.S. Patent No. 5,825,759 (hereinafter Liu) and further in view of Krishnan, U.S. Patent No. 5, 155,851 (hereinafter Krishnan). In the rejection, the Examiner concedes that Oliviera, Sayan, Brenner and Liu do not teach Applicants' **recently assigned agent condition**. To make up for the deficiencies of Oliviera, Sayan, Brenner and Liu, the Examiner cites Krishnan. However, Krishnan fails to teach Applicants' step of **clearing the recently assigned agent condition after the predetermined agent assignment interval has elapsed**, as recited in independent claims 36, 46 and 56.

In the current Office Action, Examiner cites column 1, line 66 to column 3-8 of Krishnan. The cited passage as follows:

“...the method applies to a system for routing an offered job from an incoming job stream through a switching device to one of several processing stations. At predetermined time intervals, occupancy factors are computed for the stations as determined by the system configuration and the rate of arrival of incoming jobs from the stream. Upon the arrival of an offered job from the stream, the occupancy factors corresponding to the activity status of the stations at the instant of the arrival of the offered job are used to compute utilization values associated with each of the stations....the station having this minimum value is the one selected for processing the job, and the offered job is routed through the switch accordingly. Otherwise the offered job is blocked. (emphasis added)

Here, Krishnan determines the activity status of each of its stations at a predetermined interval. Krishnan uses the activity status of each station - after the interval elapses - to determine which station to should receive an incoming job. In contrast with Krishnan, Applicants' **agent assignment interval** represents an amount of time in which a **recently assigned agent (R.S.A.) condition** is observed by a store process after a new transaction has already been routed to that store process. Hence, Applicants' interval is used by a store process after it receives a new transaction – whereas Krishnan's interval signals when occupancy factors are computed and then jobs are routed based on the occupancy factors.

In Applicants' invention, once the store process receives the new transaction (i.e. an agent transaction), the initial processing for the new transaction may be minimal. Thus, the new transaction may have a delayed impact on the store process' load information. By having the store process observe the **R.S.A. condition for a certain interval of time**, Applicants'

invention avoids routing additional transactions to the store process if the amount of transactions currently being handled by the store process exceeds the R.S.A. condition. In other words, the **agent assignment interval** allows the store process' load information a certain amount of time to accurately represent the impact of the newly- assigned transaction before additional transactions are successively routed to that store process.

Once the **agent assignment interval elapses, the R.S.A. condition is cleared** – thereby allowing for additional transactions to be assigned to the store process since store process' load information most likely accounts for the impact of the newly-assigned agent transaction at the end of the **agent assignment interval**. Thus, Krishnan's interval is not used to determine whether additional jobs can be routed to a particular station that has already received a newly-routed job that may have a delayed impact on that station's activity status.

For the reasons stated above, Applicants submit that independent claims 36, 46 and 56 are patentably distinct and advantageous over the cited references – individually and in combination with each other. In addition, by virtue of their dependency on the independent claims, the rejected dependent claims are patentably distinct as well. Hence, the rejection under 35 U.S.C. §103(a) should be withdrawn. Accordingly, allowance of the claims is respectfully requested.

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In view of the above, the Examiner's rejections are believed to have been overcome, placing the pending claims in condition for allowance and reconsideration and allowance thereof is respectfully requested.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an online payment made herewith, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

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Attorney Docket No.: EMC03-17(03087)

Dated: May 13, 2009